

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

JAMI LYNN GOLDEN,

Plaintiff,

v.

FLOYD HEALTHCARE  
MANAGEMENT, INC. d/b/a  
FLOYD MEDICAL CENTER,  
FLOYD EMERGENCY  
PHYSICIANS, LLC a/k/a FLOYD  
EMERGENCY PHYSICIANS  
GROUP, LLC, GARRETT H.  
BARNES, M.D., CHARLES W.  
STEIN, N.P., and DANNY R. ROGERS,  
P.A.,

Defendants.

C. A. NO. 4:18-CV-157-MLB

**PLAINTIFF'S RULE 26 EXPERT DISCLOSURES**

Plaintiff files these disclosures of persons who may offer expert testimony at trial, showing the Court as follows:

1. Plaintiff has retained Louis P. Ciamillo, M.D. as an expert who may present trial testimony at trial in this case. A copy of Dr. Ciamillo's Rule 26 Report is attached as Exhibit A.

2. Plaintiff has retained Michelle K. Breem, RNP as an expert who may present trial testimony at trial in this case. A copy of NP Breen's Rule 26 Report is attached as Exhibit B.

3. Plaintiff expects the following expert treating physicians may give expert testimony at trial. These physicians have not been retained by the Plaintiff to give expert testimony.

Dr. Mark Kunkel, DPM  
UAB Health System  
1201 11th Ave S #200  
Birmingham, AL 35205  
TEL 205-975-2310

Dr. Ashish Shah, MD  
UAB Health System  
1201 11th Avenue South, Floor 2  
Birmingham, AL 35205  
Phone: 205-975-2663

Dr. Nileshkumar Chaudhari, MD  
UAB Health System  
1201 11th Avenue South, Floor 2  
Birmingham, AL 35205  
Phone: 205-975-2663

Dr. Charles Carpenter Pitts, Jr., MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Walter Charles Bell, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. William A. Potter, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Lucy G. Chapman, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Pamela D. Varner, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Zane Brooks Hyde, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Eildar Abyar, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Craig S. Samford, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. John Charles Briggs, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Arthur M. Boudreaux, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Tekuila Carter, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Peter A. Nagi, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. James M. Hunter, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Elise P. Salerno, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Jennifer Anderson, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Mark P. Powell, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. George A. Dumas, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Anthony C. Pitts, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Danielle K. Powell, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Victor W. Mark, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Jason A. Pietryga, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Michelle M. McNamara, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Jubal R. Watts, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Joseph C. Sullivan III, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Emmy K. Bell, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Robert C. Brunner, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Lucie Mitchell, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Adam Almaguer, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Ali Kilic, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Sunil Rangarajan, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Todd McCarty, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Robert J. Heine, MD  
1201 11th Avenue South  
Birmingham, AL 35205

Dr. Rikke Borg, MD  
1201 11th Avenue South  
Birmingham, AL 35205

John S. Hostetler, MD  
Harbin Clinic  
1825 Martha Berry Boulevard, Rome, GA 30165  
Rome, GA 30165

TEL 762-235-2410

John Cutshall  
Harbin Clinic Immediate Care  
1825 Martha Berry Boulevard  
Rome, GA 30165  
TEL 762-235-1470

Kristen H. Leezer, MD  
Northwest Georgia Medical Clinic  
15 Riverbend Dr.  
Rome, GA 30161  
TEL 706-291-0884

John M Harris, MD  
Redmond Medical Center  
501 Redmond Rd  
Rome, GA 30161

Darah R. Mack, M.D.. Mack  
ER Physician  
Redmond Medical Center  
501 Redmond Rd  
Rome, GA 30161

James Merritt, MD  
Redmond Medical Center  
501 Redmond Rd  
Rome, GA 30161

Jennifer Davis Barbieri, MD  
Redmond Medical Center  
501 Redmond Rd  
Rome, GA 30161

Mark A. McElhannon , MD  
Redmond Medical Center  
501 Redmond Rd  
Rome, GA 30161

These treating physicians may offer opinions about their diagnoses of the Plaintiff's health condition, the conditions for which they may have treated the Plaintiff, the Plaintiff's response to their treatment, and their prognosis for the Plaintiff's in view of her response to their treatment. Generally, their opinions are recorded in Plaintiff's medical records which have been produced to Defendants.

This 2<sup>nd</sup> day of November 2020.

Attorneys for Plaintiff:

**THE STONE LAW GROUP  
- TRIAL LAWYERS, LLC**

By: *s/William S. Stone*

William S. Stone  
Georgia State Bar No. 684636

P. O. Drawer 70  
Blakely, Georgia 39823  
TEL 229/723-3045  
FAX 229/723-4834  
W. Stone email: [billstone@stonelaw.com](mailto:billstone@stonelaw.com)

Ryals D. Stone  
Georgia State Bar No. 831761  
James W. Stone  
Georgia State Bar No. 328708

5229 Roswell Road NE  
Atlanta, GA 30342  
TEL 404/239-0305  
FAX 404/445-8003  
W. Stone email: [billstone@stonelaw.com](mailto:billstone@stonelaw.com)  
R. Stone email: [ryals@stonelaw.com](mailto:ryals@stonelaw.com)  
J. Stone email: [james@stonelaw.com](mailto:james@stonelaw.com)

# **EXHIBIT A**



## **RULE 26 REPORT OF LOUIS PRESTON CIAMILLO, JR., MD**

### **I. STATEMENT OF OPINIONS, BASIS AND REASONS FOR OPINIONS**

My Affidavit filed contemporaneously with the Complaint for Damages in this case is incorporated by reference. Based on discovery taken in this case, I have additional opinions, as follows.

In my routine medical practice I have for many years worked closely with, supervised, given orders to nurses, interacted with nurses, and observed first-hand the physician-nurse relationship in the hospital emergency department setting.

It is my understanding that the standard of care relative to the practice of nursing is the degree of care and skill in the treatment and care of a patient nurses generally have and use under similar conditions and like surrounding circumstances.

It is my opinion that the care provided to Jami Golden in the Floyd Medical Center Emergency Care Department (“Floyd Emergency Center”) by Charge Nurse Sharon Gaylor, RN in the early morning hours of July 2, 2016 did not meet the standard of care required of nurses. Nurse Gaylor did not perform her duties as required by Floyd Emergency Center Policy Re Sepsis Alert/Response in force on July 1-2, 2016. When a computer Sepsis Alert fired on Ms. Golden, and Nurse Gaylor received notice of the alert at 2:03 a.m., she failed to take any action at all to notify Dr. Garrett Barnes, Ms. Golden’s attending ECC physician (or his PA, Danny

Rogers), or Mendy Lambert, RN, Ms. Golden's primary nurse, of the Sepsis Alert as she was required to do by the Sepsis Alert/Response Policy.

As a nurse employed at the Floyd Emergency Center, Nurse Gaylor is required by the nursing standard of care, and the directions of her employer, to follow and comply with all hospital policies, and she has no discretion to decide whether, or under what circumstances, she will not do so. Her duties in responding to receiving a Sepsis Alert required no medical or nursing judgment, but simply required her to perform the ministerial act of communicating to Dr. Barnes (or PA Rogers) and Nurse Lambert the fact that a Sepsis Alert concerning their patient, Ms. Golden, had fired. After that, Nurse Gaylor had no further responsibility. Nurse Lambert was then responsible under the Sepsis Alert/Response policy for initiating the Floyd Emergency Center Sepsis Protocol. Dr. Barnes was then responsible directing all the subsequent medical management of Ms. Golden's condition under the existing conditions and circumstances, including the Sepsis Alert. This could include broadening or narrowing the orders in the Floyd Emergency Center Sepsis Protocol, as determined by his own medical judgment under the circumstances.

As a result of Nurse Gaylor's complete failure to perform her duty under the Sepsis Alert/Response policy, Dr. Barnes (or PA Rogers) and Nurse Lambert maintain they were unaware of the Sepsis Alert concerning Ms. Golden, and that is why they took no action to further investigate Ms. Golden's condition and rule out

the existence of any potential sepsis risk, or timely and appropriately treat it, in response to the Sepsis Alert. They say they just did not know about it because they were never told about it by Charge Nurse Gaylor. However, this is not to say that PA Rogers is blameless. As I pointed out in my Affidavit, I take issue with this. PA Rogers should have known from the vital signs reported by Nurse Lambert and the elevated Bands reported in the Lab report that Ms. Golden was showing signs and symptoms of sepsis. PA Rogers should have informed Dr. Barnes of this himself, without waiting for a Sepsis Alert to fire, and sought additional direction or orders about what to do to further evaluate and treat Ms. Golden. He did not.

The data on which the Sepsis Alert was based was in the medical record, and PA Rogers had an obligation to review the record and inform himself of the patient's condition, which was trending septic. He did not do so, and breached the standard of care for Physician's Assistants, as I explained in my Affidavit.

It is my opinion to a reasonable degree of medical probability that Nurse Gaylor's breach of duty to notify Dr. Barnes (or PA Rogers) and Nurse Lambert that the Sepsis Alert concerning Ms. Golden fired is a proximate cause of the failure of the Floyd Emergency Center healthcare providers to further investigate and rule out a serious potential sepsis risk as a medical cause of Ms. Golden's condition, or to timely and appropriately treat her serious potentially septic condition to avoid severe threat of injury to her life and health.

Ms. Golden was discharged from the Floyd Emergency Center on July 2, 2016 at 3:34 a.m., about 1-1/2 hours after the Sepsis Alert fired. During that 1-1/2 hours nothing at all was done by the Emergency Center physician and other providers to further investigate Ms. Golden's condition and rule out the existence of any potential sepsis risk, or to timely and appropriately treat it, in response to the Sepsis Alert.

At 4:56 p.m. on July 2, 2016 Ms. Golden presented at the Redmond Medical Center Emergency Department via ambulance in septic shock, and the hospital's sepsis protocol was immediately initiated. After an 11 day hospital stay at Redmond Medical Center, Ms. Golden was transferred to the UAB Medical Center at Birmingham, Alabama for further treatment.

This is the kind of avoidable result the Floyd Emergency Center Sepsis Alert/Response policy exists to prevent. Nurse Gaylor's failure to take any action at all to perform the duty imposed on her by the Sepsis Alert/Response policy was gross negligence.

## **II. FACTS AND DATA CONSIDERED IN FORMING OPINIONS**

I have reviewed the following materials pertaining to the care and treatment provided to Ms. Golden in this case:

1. All documents referenced in my Affidavit filed in this case
2. Complaint for Damages
3. My Affidavit filed in this case

4. Floyd Emergency Center Policy Re Medical Coverage for the ECC in force on July 1-2, 2016.
5. Floyd Emergency Center Policy Re Medical Staff Responsibility for ECC Patients in force on July 1-2, 2016.
6. Floyd Emergency Center Policy Re ECC Service Description in force on July 1-2, 2016.
7. Floyd Emergency Center Policy Re Assessment/Triage Provision in force on July 1-2, 2016.
8. Floyd Emergency Center Policy Re Sepsis Alert/Response in force on July 1-2, 2016.
9. Floyd Emergency Center Policy Re Respecting EMTALA (COBRA) Compliance in force on July 1-2, 2016.
10. Floyd Emergency Center Policy Re Sepsis Protocol in force on July 1-2, 2016.
11. Redmond Regional Medical Center Emergency Provider Report for Jami Golden
12. Redmond Regional Medical Center History and Physical for Jami Golden
13. Redmond Regional Medical Center Infectious Disease Consultation Report for Jami Golden
14. Redmond Regional Medical Center Discharge Summary for Jami Golden
15. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Garrett Barnes, MD under Fed.R.Civ.Pr. 30(b)(6), and Garrett Barnes, MD, individually
16. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Charles William Stein , NP under Fed.R.Civ.Pr. 30(b)(6), and Charles William Stein , NP, individually
17. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Danny Ray Rogers, PA under Fed.R.Civ.Pr. 30(b)(6), and Danny Ray Rogers, PA, individually

18. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Mendy Lambert, RN under Fed.R.Civ.Pr. 30(b)(6), and Mendy Lambert, RN, individually
19. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Sharon Gaylor, RN under Fed.R.Civ.Pr. 30(b)(6), and Sharon Gaylor, RN, individually

The facts evidenced by these materials in part form the basis of my opinions stated in this Report. I reserve the right to amend this statement if new information becomes available through the course of discovery or otherwise, that is not currently known to Plaintiff. I will also base my opinions on my education, training, and experience, as set forth in my CV attached hereto.

### **III. EXHIBITS TO BE USED TO SUMMARIZE OR SUPPORT OPINIONS**

At this time, I am not aware of any exhibits to be used to summarize or support my opinions, except for the medical records, Floyd Emergency Center policies, and depositions set forth in Section II above. Should any additional exhibits be used to summarize or support my opinions, this disclosure of such exhibits will be supplemented.

### **IV. EXPERT QUALIFICATIONS**

My qualifications to offer expert testimony are set forth in my CV, which is attached hereto and incorporated by reference.

I have not authored any publications in the ten (10) years prior to the date of this Report.

## **V. TESTIMONY FROM PREVIOUS FOUR YEARS**

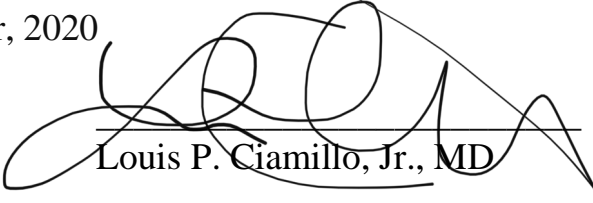
I have not testified at trial or by deposition in any cases within the past four (4) years prior to this Report.

## **VI. STATEMENT OF COMPENSATION**

For this case I am being compensated according to the following fee schedule:

Case Review, Research, Oral Opinion:	\$ 400 hour
Reports & Pretrial Preparation:	\$ 400/ hour
Deposition Appearance:	\$ 450/hour
Trial Appearance:	\$ 450/hour
Travel Time & Expenses:	Actual cost incurred

This 2<sup>nd</sup> day of November, 2020



Louis P. Ciamillo, Jr., MD

# CURRICULUM VITAE

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March 2018

## **Louis Preston Ciamillo, Jr., MD**

Associate Professor  
Department of Emergency Medicine  
Medical College of Georgia

**HOME ADDRESS:** 1587 River Island Parkway  
Evans, GA 30809  
Phone: (706) 533-2911

**OFFICE ADDRESS:** Augusta University Medical Center  
Department of Emergency Medicine  
1120 15<sup>th</sup> Street, AF-2037  
Office: (706) 721-9957  
Fax: (706) 721-7718  
Cell: (706) 533-2911

**CERTIFICATION:** American Board of Emergency Medicine  
November 2005 - Present

### **EDUCATION:**

2000 – 2003	Emergency Medicine Residency Medical College of Georgia Augusta, Georgia
1999 – 2000	Internal Medicine Internship Medical College of Georgia Augusta, Georgia
1995 – 1999	M.D., Doctorate of Medicine Medical College of Georgia Augusta, Georgia
1992 - 1995	B.S., Bachelor's of Science Biology Augusta State University Augusta, Georgia



# CURRICULUM VITAE

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## PROFESSIONAL:

2016-Present	Director of Quality Assurance Medical College of Georgia at Augusta University Medical Center Augusta, Georgia
2004 – 2016	Medical Director of Emergency Medicine Medical College of Georgia Augusta, Georgia
2011 – Present	Associate Professor of Emergency Medicine Medical College of Georgia at Augusta University Medical Center Augusta, Georgia
2008 – 2012	Service Chief of Emergency Medicine Georgia Health Sciences University Augusta, Georgia
2003 – 2011	Assistant Professor of Emergency Medicine Medical College of Georgia Augusta, Georgia
2003 – 2004	Assistant Program Director of Emergency Medicine Residency Medical College of Georgia Augusta, Georgia
2003 – 2004	Program Director of Physician Assistant Emergency Medicine Residency Medical College of Georgia Augusta, Georgia
2002 – 2004	Staff Physician in Emergency Medicine Wills Memorial Hospital Washington, Georgia
2001 – 2002	Staff Code Call Physician Phyamerica Augusta, Georgia
2001 – 2002	Staff Emergency Medicine Physician Emanuel Medical Center Swainsboro, Georgia

## CURRICULUM VITAE

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2001 – 2003      Staff Emergency Medicine Physician  
Burke Medical Center  
Waynesboro, Georgia

1988 – 1992      Comptroller/Owner  
MGW Limited  
Frederick, Maryland

### COMMITTEES:

2011 – 2016      Quality Unit Council Committee, Department of Emergency Medicine  
Medical College of Georgia/Georgia Health Sciences University  
Augusta, Georgia

2008 - 2016      Medical Executive Committee  
MCG Health Inc.  
Augusta, Georgia

2008 - 2016      Leadership Committee, Department of Emergency Medicine  
Medical College of Georgia/Georgia Health Sciences University  
Augusta, Georgia

2008 – 2016      Patient Advisor Committee Meeting  
Medical College of Georgia/Georgia Health Sciences University  
Augusta, Georgia

2006 – Present    ICU Committee  
MCG Health Inc.  
Augusta, Georgia

2006 - Present    Academic Group Practice Committee  
Medical College of Georgia/Georgia Health Sciences University  
Augusta, Georgia

### MEMBERSHIPS/BOARD CERTIFICATION:

2005-Present      Board Certification American Board of Emergency Medicine (Recertification 2015  
For 10 year term)

2004-Present      Member American Academy of Emergency Medicine

2004-Present      Member American College of Emergency Physicians

2004-2006          Member American Medical Association (discontinued membership due political  
beliefs.)

1991-Present      Lifetime Membership Award Phi Kappa Phi Honor Society

# CURRICULUM VITAE

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## AWARDS:

- 1988 Thomas W. Pangborn Scholarship (Academic Scholarship Mount Saint Mary's College)
- 1991 McCrary Science Award (Institutional Science Award, Augusta University, given each year to most outstanding student in Science)
- 1991 Phi Kappa Phi Essay – Semi-Finalist in national PKP essay contest (Lifetime Membership in PKP Honor Society awarded)
- 1995 James Puryear Scholarship (Medical College of Georgia Academic Scholarship)
- 1999 Emergency Medicine Resident Teacher of the Year

## PRESENTATIONS:

October, 2017

“Anaphylaxis/Allergic Rxn/Angioedema”  
Augusta University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

May, 2015

“Eye Emergencies”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

May, 2015

“Neurology”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February, 2015

“Board Review”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

June, 2014

“Pacing Lab”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2014

“Pneumonia Review”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

## CURRICULUM VITAE

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February 2014      “Ortho Review”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

November 2013    “Hypothermia Protocol”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

### **PRESENTATIONS CONTINUED...**

September 2013   “Eye Emergencies”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

June 2013         “Pacing Lab”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2013     “Ortho Review”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2013     “Pneumonia Review”  
Georgia Regents University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

May 2012          “Live Tissue Lab/Transvenous Cardiac Pacing”  
Georgia Health Sciences University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2012     “Pulmonary In-Service Review”  
Georgia Health Sciences University Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

March 2011        “Live Tissue Lab/Transvenous Cardiac Pacing”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia

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## Presentation

April 2010      “Live Tissue Lab/Transvenous Cardiac Pacing”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

## PRESENTATIONS CONTINUED...

December 2009      “Orthopedics”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

September 2009      “Medical College of Georgia Emergency Medicine Faculty Retreat”  
Augusta, Georgia  
Retreat Director

June 2009      “Care of the Psychiatric Patient in Georgia”  
Georgia College of Emergency Physicians Annual Assembly  
Hilton Head, SC  
Presentation

June 2009      “Live Tissue Lab/Cardiac Pacing”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

September 2008      “M & M”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

August 2008      “Medical College of Georgia Emergency Medicine Faculty Retreat”  
Augusta, Georgia  
Retreat Director

February 2008      “Pulmonary Emergencies”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

## CURRICULUM VITAE

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January 2008      “Journal Club”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

November 2007    “Pericarditis, Endocarditis, Myocarditis”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

### **PRESENTATIONS CONTINUED...**

August 2007      “Medical College of Georgia Emergency Medicine Faculty Retreat”  
Augusta, Georgia  
Retreat Director

July 2007        “Transvenous Pacing Lab”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Live Animal Lab

July 2007        “Emergency Airway Technique Fiberoptic”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

June 2007        “Cardiac Pacing”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Live Animal Lab

April 2007        “Difficult Airways”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2007    “Ortho Review”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2007    “Pulmonary Review”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

## CURRICULUM VITAE

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January 2007      “Journal Club”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

August 2006      “Medical College of Georgia Emergency Medicine Faculty Retreat”  
Augusta, Georgia  
Retreat Director

### **PRESENTATIONS CONTINUED...**

August 2006      “Diabetic Keto Acidosis”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

August 2006      “Transvenous Cardiac Pacing”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2006      “Pulmonary Review”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

August 2005      “Diabetic Keto Acidosis”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

April 2005      “EM Administration”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2005      “Pulmonary Review”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

January 2005      “Acute Renal Failure”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia

# CURRICULUM VITAE

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## Presentation

January 2005      “Medical Screening Exam”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation



# CURRICULUM VITAE

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## PRESENTATIONS CONTINUED...

September 2004      “Pericarditis, Endocarditis, Myocarditis”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

May 2004              “Journal Club”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

April 2004            “Resuscitation”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

March 2004           “Diabetic Keto Acidosis”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

February 2004       “Pulmonary Review”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

January 2004         “Acute Renal Failure”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

November 2003      “Pneumonia”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

August 2003          “Resuscitation”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

# CURRICULUM VITAE

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## PRESENTATIONS CONTINUED...

July 2003                      “Ortho/Splinting”  
Medical College of Georgia Emergency Medicine Grand Rounds  
Augusta, Georgia  
Presentation

## ADMINISTRATIVE PROJECTS:

May 2007 - July 2010              Emergency Room Expansion

Approached MCG Health Inc about expansion of the current ED to include a 10 bed acute care unit and 7 bed psychiatric unit. From inception to bond issue to architect and patient advisory meetings, the entire process took four years. The 6.5 million dollar project was my initiative and both new units opened in July 2010. The psychiatric unit was a novel approach to the management of patients with behavioral health emergencies and we successfully opened the unit with co-management buy in from the Medical College of Georgia’s Department of Psychiatry.

January 2006 - 2016              Billing and Coding Chart Review

Devised a system for coding clerks to communicate with emergency physicians in our practice group regarding missed documentation. Process closed a \$500,000 gap in procedures done but not documented. Process also improved our group critical care billing from .49% to greater than 2%. Average gross charges per hour increased from \$600 to over \$900 for the group.

November 2009 - 2016              Patient Care and Comfort Measures Initiative

Co-Authored patient care and comfort measures initiative with input from nursing and physician staff and hospital leadership. Created a new paradigm in care of the emergency patient to address pain and suffering at check in, and give nursing more clinical autonomy to initiate care measures.

## PUBLICATIONS:

Lyon M, Brannam L, **Ciamillo L**, Blaivas M. *False Positive Abdominal Aortic Aneurysm on Bedside Emergency Ultrasound*. Journal of Emergency Medicine. 2004; 26: 193-6.

# **EXHIBIT B**

## **RULE 26 REPORT OF MICHELLE K. BREEM, RNP**

### **I. STATEMENT OF OPINIONS, BASIS AND REASONS FOR OPINIONS**

It is my understanding that the standard of care relative to the practice of medicine is the degree of care and skill in the treatment and care of a patient similar medical providers generally have and use under similar conditions and like surrounding circumstances. This standard of care applies to nurses, who must have and use that degree of care and skill in the treatment and care of a patient employed by nurses generally under similar conditions and like surrounding circumstances.

It is my opinion that the care provided to Jami Golden in the Floyd Medical Center Emergency Care Department (“Floyd Emergency Center”) by Charge Nurse Sharon Gaylor, RN in the early morning hours of July 2, 2016 did not meet the standard of care required of nurses. Nurse Gaylor did not perform her duties as required by Floyd Emergency Center Policy Re Sepsis Alert/Response in force on July 1-2, 2016. When a computer Sepsis Alert fired on Ms. Golden, and Nurse Gaylor received notice of the alert at 2:03 a.m., she failed to take any action at all to notify Dr. Garrett Barnes, Ms. Golden’s attending ECC physician (or his PA, Danny Rogers), or Mendy Lambert, RN, Ms. Golden’s primary nurse, of the Sepsis Alert as she was required to do by the Sepsis Alert/Response Policy.

As a nurse employed at the Floyd Emergency Center, Nurse Gaylor is required by the nursing standard of care, and the directions of her employer, to follow and

comply with all hospital policies, and she has no discretion to decide whether, or under what circumstances, she will not do so. Her duties in responding to receiving a Sepsis Alert required no medical or nursing judgment, but simply required her to perform the ministerial act of communicating to Dr. Barnes (or PA Rogers) and Nurse Lambert the fact that a Sepsis Alert concerning their patient, Ms. Golden, had fired. After that, Nurse Gaylor had no further responsibility. Nurse Lambert was then responsible under the Sepsis Alert/Response policy for initiating the Floyd Emergency Center Sepsis Protocol. Dr. Barnes was then responsible directing all the subsequent medical management of Ms. Golden's condition under the existing conditions and circumstances, including the Sepsis Alert.

As a result of Nurse Gaylor's complete failure to perform her duty under the Sepsis Alert/Response policy, Dr. Barnes (or PA Rogers) and Nurse Lambert maintain they were unaware of the Sepsis Alert concerning Ms. Golden, and that is why they took no action to further investigate Ms. Golden's condition and rule out the existence of any potential sepsis risk, or timely and appropriately treat it, in response to the Sepsis Alert. They say they just did not know about it because they were never told about it by Charge Nurse Gaylor.

Therefore, it is my opinion to a reasonable degree of medical probability that Nurse Gaylor's breach of duty to notify Dr. Barnes (or PA Rogers) and Nurse Lambert that the Sepsis Alert concerning Ms. Golden fired is a proximate cause of

the failure of the Floyd Emergency Center healthcare providers to further investigate and rule out a potential sepsis risk as a medical cause of Ms. Golden's condition, or to timely and appropriately treat her potentially septic condition to avoid severe threat of injury to her life and health.

Ms. Golden was discharged from the Floyd Emergency Center on July 2, 2016 at 3:34 a.m., about 1-1/2 hours after the Sepsis Alert fired. During that 1-1/2 hours nothing at all was done by the Emergency Center physician and other providers to further investigate Ms. Golden's condition and rule out the existence of any potential sepsis risk, or to timely and appropriately treat it, in response to the Sepsis Alert.

At 4:56 p.m. on July 2, 2016 Ms. Golden presented at the Redmond Medical Center Emergency Department via ambulance in septic shock, and the hospital's sepsis protocol was immediately initiated. After an 11 day hospital stay at Redmond Medical Center, Ms. Golden was transferred to the UAB Medical Center at Birmingham, Alabama for further treatment.

This is the kind of avoidable result the Floyd Emergency Center Sepsis Alert/Response policy exists to prevent. Nurse Gaylor's failure to take any action at all to perform the duty imposed on her by the Sepsis Alert/Response policy was gross negligence.

## **II. FACTS AND DATA CONSIDERED IN FORMING OPINIONS**

I have reviewed the following materials pertaining to the care and treatment provided to Ms. Golden in this case:

1. Complaint for Damages
2. Affidavit of Louis P. Ciamillo, Jr., M.D.
3. Medical records of Jami Lynn Golden from Floyd Medical Center
4. Floyd Emergency Center Policy Re Medical Coverage for the ECC in force on July 1-2, 2016.
5. Floyd Emergency Center Policy Re Medical Staff Responsibility for ECC Patients in force on July 1-2, 2016.
6. Floyd Emergency Center Policy Re ECC Service Description in force on July 1-2, 2016.
7. Floyd Emergency Center Policy Re Assessment/Triage Provision in force on July 1-2, 2016.
8. Floyd Emergency Center Policy Re Sepsis Alert/Response in force on July 1-2, 2016.
9. Floyd Emergency Center Policy Re Respecting EMTALA (COBRA) Compliance in force on July 1-2, 2016.
10. Floyd Emergency Center Policy Re Sepsis Protocol in force on July 1-2, 2016.
11. Redmond Regional Medical Center Emergency Provider Report for Jami Golden
12. Redmond Regional Medical Center History and Physical for Jami Golden
13. Redmond Regional Medical Center Infectious Disease Consultation Report for Jami Golden
14. Redmond Regional Medical Center Discharge Summary for Jami Golden

15. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Garrett Barnes, MD under Fed.R.Civ.Pr. 30(b)(6), and Garrett Barnes, MD, individually
16. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Charles William Stein , NP under Fed.R.Civ.Pr. 30(b)(6), and Charles William Stein , NP, individually
17. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Danny Ray Rogers, PA under Fed.R.Civ.Pr. 30(b)(6), and Danny Ray Rogers, PA, individually
18. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Mendy Lambert, RN under Fed.R.Civ.Pr. 30(b)(6), and Mendy Lambert, RN, individually
19. Depositions of Floyd Healthcare Management, Inc., Floyd Emergency Physicians, LLC, by designated representative Sharon Gaylor, RN under Fed.R.Civ.Pr. 30(b)(6), and Sharon Gaylor, RN, individually

The facts evidenced by these materials in part form the basis of my opinions stated in this Report. I reserve the right to amend this statement if new information becomes available through the course of discovery or otherwise, that is not currently known to Plaintiff. I will also base my opinions on my education, training, and experience, as set forth in my CV attached hereto.

### **III. EXHIBITS TO BE USED TO SUMMARIZE OR SUPPORT OPINIONS**

At this time, I am not aware of any exhibits to be used to summarize or support my opinions, except for the medical records, Floyd Emergency Center policies, and depositions set forth in Section II above. Should any additional exhibits be used to summarize or support my opinions, this disclosure of such exhibits will be supplemented.



#### **IV. EXPERT QUALIFICATIONS**

All my qualifications to offer expert testimony are set forth in my CV, which is attached hereto and incorporated by reference.

I have not authored any publications in the ten (10) years prior to the date of this Report.

#### **V. TESTIMONY FROM PREVIOUS FOUR YEARS**

I have not testified at trial or by deposition in any cases within the past four (4) years prior to this Report.

#### **VI. STATEMENT OF COMPENSATION**

For this case I am being compensated according to the following fee schedule:

Case Review, Research, Oral Opinion:	\$ 175/ hour
Reports & Pretrial Preparation:	\$ 175/ hour
Expedited Fee (service request less than 10 business days):	\$ 225/ hour
Deposition Appearance:	\$ 250/hour
Trial Appearance:	\$1,500/day
Travel Time & Expenses:	Actual cost incurred

This 2<sup>nd</sup> day of November, 2020

  
\_\_\_\_\_  
Michelle K. Breen, RNP

# Michelle Kendall Breen

10155 Crescent Hill Lane, Roswell GA 30076

Phone: 770-778-4931 E-Mail: michellekbreen@gmail.com

## Objective

Highly motivated nurse practitioner with over six years experience in women's health seeking independent consulting opportunities as a legal nurse consultant in a firm that requires comprehensive knowledge of nursing standards of care and superior analytical skills.

## Professional attributes

- Extensive experience with patients requiring care in medically complex settings, both low and high risk
- Knowledge of JCAHO and state regulations pertaining to health care organizations
- Ability to explain medical concepts, both verbally and in writing, in concise terms
- Attention to detail during analysis of medical records while completing quality improvement

## Education

### Chamberlain College of Nursing

**May 2015- April 2017**

MSN-FNP program; graduated with a GPA of 3.89; member of Sigma Theta Tau International Honors Society and National Society of Leadership and Success

### Georgia Regents University

**2011-2014**

BSN program; former member of the Georgia Association of Nursing Students; 3.12 cumulative GPA; Member of Sigma Theta Tau International; HOPE scholarship recipient

## Experience

### Northside/Northpoint OB/GYN

**May 2017 – Present**

- Assess acute and chronic medical problems
- Order diagnostic labs and radiology tests
- Interpret diagnostic testing and create a patient-oriented treatment plan
- Deliver obstetrical care for normal and high-risk pregnancies
- Provide well-woman care, including preventative healthcare
- Perform office procedures, including IUD insertion, incision and drainage, biopsies, and polypectomies
- Teach child-birth class to our patient population
- Inpatient rounds and consults on antepartum high risk and postpartum patients - includes acute and chronic disease on the busiest maternity ward in the country (Northside Hospital Atlanta)
- Initiate telehealth movement in the setting of global pandemic; including set up, communication with staff and schedulers, educating other providers, and review billing
- Sole telehealth provider even as office opens back up to 100% - performing physical exams, diagnosing, managing, and treating acute/chronic diseases remotely

**Northside Hospital – Registered Nurse in L&D**

**August 25, 2014- March 2017**

- Monitor fetal heart rate and uterine contractions
- Ensure a safe delivery for both mother and baby
- Manage patient in the operating room
- Deliver post-anesthesia care after surgery
- Develop individualized plan of care for patient
- Carry out MD orders in an efficient and timely manner
- Educate patients and family members on plan, procedure, and outcome
- Provide psychosocial and emotional support for patient and family
- Certified nurse preceptor

**Northside Hospital – Nurse Extern**

**June 2, 2014-August 2014**

- Stock linens and equipment
- Transport patients
- Room set up for new admissions and deliveries

**University Hospital**

**January 2014-May 2014**

- Preceptorship – 3 South – Labor and Delivery
- Insert catheter and IV
- Position fetal monitors on patient
- Assist during birth
- Observe a C-section birth
- Hang and start IV medications
- Document on patient using electronic medical records

**Georgia Regents Medical Center**

**June 2013 - August 2013**

- Patient Care Intern – student position
- Administered medications, routine vital signs
- Started IV's
- Documented on electronic medical records
- Collected labs and blood glucose levels

**Skills**

Basic nursing skills; vital signs, blood glucose levels, medication administration, IV management

Computer skills; organized, task driven, and efficient worker; the ability to assess, diagnose, and treat acute and chronic diseases; effective communication

# Michelle Kendall Breen

10155 Crescent Hill Lane, Roswell GA 30076

Phone: 770-778-4931 E-Mail: michellekbreen@gmail.com

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## CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the following discovery documents:

1. Plaintiff's Rule 26 Expert Disclosures

upon all parties and their counsel by email and via the Court's ECF system to the following persons:

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*Attorney for deponents*

This 2<sup>nd</sup> day of November, 2020.

*/s/William S. Stone*